

Message Text

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INFO AMEMBASSY MOSCOW
AMEMBASSY LONDON
USMISSION UN NEW YORK

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EO 11652: GDS
TAGS: PARM
SUBJECT: SEABEDS ARMS CONTROL TREATY REVIEW CONFERENCE: DRAFT
FINAL DECLARATION

1. REVCON DRAFTING COMMITTEE HELD ORGANIZATIONAL MEETING
AFTERNOON OF JUNE 24, AFTER WHICH UK DEL CIRCULATED
INFORMAL DRAFT OF FINAL DECLARATION WHICH THEY HAD PREPARED
IN CONSULTATION WITH SELECTED PARTIES INCLUDING DELEGATIONS
FROM EAST, WEST, AND NON-ALIGNED GROUPS. ARTICLE V (WHICH
DEALS WITH CONTINUED NEGOTIATIONS ON FURTHER MEASURES)
HAS BEEN LEFT BLANK IN THE DRAFT SINCE SOVIETS AND OTHER
EASTERN EUROPEAN REPS HAVE BACKED OFF OF LANGUAGE THAT
THE SOVIETS HAD ACCEPTED EARLIER. IT APPEARS THAT SOVIETS
MAY HAVE DECIDED TO PRESS FOR REVCON ENDORSEMENT OF
NEGOTIATIONS ON FURTHER MEASURES LEADING TO "DEMILITARIZATION"
OF THE SEABED. SINCE SOVIETS HAVE INDICATED NO INTEREST
OVER PAST SEVERAL YEARS AT CCD OR UN IN PROCEEDING ON
FURTHER SEABED ARMS CONTROL MEASURES, THIS MAY BE A
PROPAGANDA PLOY RATHER THAN A SERIOUS ARMS CONTROL
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INITIATIVE.

2. TEXT OF DRAFT FINAL DECLARATION FOLLOWS:

BEGIN TEXT: DRAFT FINAL DECLARATION

PREAMBLE

THE STATES PARTY TO THE TREATY ON THE PROHIBITION OF THE EMPLACEMENT OF NUCLEAR WEAPONS AND OTHER WEAPONS OF MASS DESTRUCTION ON THE SEABED AND THE OCEAN FLOOR AND IN THE SUBSOIL THEREOF WHO MET IN GENEVA IN JUNE 1977 IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE VII TO REVIEW THE OPERATION OF THE TREATY WITH A VIEW TO ASSURING THAT THE PURPOSES OF THE PREAMBLE AND THE PROVISIONS OF THE TREATY ARE BEING REALISED:

RECOGNISING THE CONTINUING IMPORTANCE OF THE TREATY AND ITS OBJECTIVES,

AFFIRMING THEIR BELIEF THAT UNIVERSAL ADHERENCE TO THE TREATY WOULD ENHANCE INTERNATIONAL PEACE AND SECURITY,

RECOGNISING THAT AN ARMS RACE IN NUCLEAR WEAPONS OR ANY OTHER TYPES OF WEAPONS OF MASS DESTRUCTION ON THE SEABED WOULD PRESENT A GRAVE THREAT TO INTERNATIONAL SECURITY,

CONSIDERING THAT THE CONTINUATION OF THE TREND TOWARDS A RELAXATION OF TENSION IN INTERNATIONAL RELATIONS PROVIDES A FAVOURABLE CLIMATE IN WHICH MORE SIGNIFICANT PROGRESS CAN BE MADE TOWARDS THE CESSATION OF THE ARMS RACE,

REAFFIRMING THEIR CONVICTION THAT THE TREATY CONSTITUTES A STEP TOWARDS THE EXCLUSION OF THE SEABED, THE OCEAN FLOOR AND THE CONFIDENTIAL

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SUBSOIL THEREOF FROM THE ARMS RACE,

EMPHASISING THE COMMON INTEREST OF MANKIND IN THE PROGRESS OF THE EXPLORATION AND USE OF THE SEABED AND THE OCEAN FLOOR FOR PEACEFUL PURPOSES,

DECLARE AS FOLLOWS

PURPOSES

THE STATES PARTY TO THE TREATY REAFFIRM THEIR STRONG COMMON INTEREST IN AVOIDING AN ARMS RACE ON THE SEABED IN NUCLEAR WEAPONS OR ANY OTHER TYPES OF WEAPONS OF MASS DESTRUCTION. THEY REAFFIRM THEIR STRONG SUPPORT FOR THE TREATY, THEIR CONTINUED DEDICATION TO ITS PRINCIPLES AND OBJECTIVES AND THEIR COMMITMENT TO IMPLEMENT EFFECTIVELY ITS PROVISIONS.

ARTICLE I

THE REVIEW UNDERTAKEN BY THE CONFERENCE CONFIRMS THAT THE OBLIGATIONUFEN UNDER ARTICLE I OF THE TREATY HAVE BEEN FAITHFULLY OBSERVED BY THE PARTIES. THE CONFERENCE IS CONVINCED

THAT THE CONTINUED OBSERVANCE OF THIS ARTICLE REMAINS ESSENTIAL
TO THE OBJECTIVE WHICH ALL PARTIES SHARE OF AVOIDING AN ARMS
RACE IN NUCLEAR WEAPONS OR ANY OTHER TYPE
OF WEAPONS OF MASS DESTRUCTION ON THE SEABED.

ARTICLE II

THE CONFERENCE REAFFIRMS ITS SUPPORT FOR THE PROVISIONS OF
ARTICLE II WHICH DEFINES THE ZONE COVERED BY THE TREATY AND
AGREES THAT NO MEASURES WHICH MAY BE DECIDED UPON IN THE CONTEXT
OF INTERNATIONAL NEGOTIATIONS ON THE LAW OF THE SEA SHALL HAVE
THE EFFECT OF REDUCING THIS ZONE.

ARTICLE III

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THE CONFERENCE NOTES WITH SATISFACTION THAT NO PARTY HAS FOUND
IT NECESSARY TO INVOKE THE PROVISIONS OF ARTICLE III SUB-
PARAGRAPHS 2, 3 AND 4 DEALING WITH INTERNATIONAL COMPLAINTS
AND VERIFICATION PROCEDURES. THE CONFERENCE REAFFIRMS IN THE
FRAMEWORK OF ARTICLE III, 6 AND ARTICLE IV THAT NOTHING IN THE
TREATY SHOULD BE INTERPRETED AS AFFECTING, AND NOTES WITH SATIS-
FACTION THAT NOTHING IN THE TREATY HAS BEEN IDENTIFIED AS AFF-
ECTING, THE RIGHTS RECOGNISED UNDER INTERNATIONAL LAW, INCLUDING
THE FREEDOMS OF THE HIGH SEAS AND THE RIGHTS OF COASTAL STATES
WITH RESPECT TO THE EXPLORATION AND EXPLOITATION OF THEIR CON-
TINENTAL SHELVES.

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ARTICLE IV

THE CONFERENCE NOTES THE USEFULNESS OF ARTICLE IV WHICH PROVIDES THAT NOTHING IN THIS TREATY SHALL BE INTERPRETED AS SUPPORTING OR PREJUDICING THE POSITION OF ANY STATE PARTY WITH RESPECT TO EXISTING INTERNATIONAL CONVENTIONS, INCLUDING THE 1958 CONVENTION ON THE TERRITORIAL SEA AND CONTIGUOUS ZONE, OR WITH RESPECT TO RIGHTS OR CLAIMS WHICH SUCH STATE PARTY MAY ASSERT, OR WITH RESPECT TO RECOGNITION OR NON-RECOGNITION OF RIGHTS OR CLAIMS ASSERTED BY ANY OTHER STATE, RELATED TO WATERS OFF ITS COAST, INCLUDING INTER ALIA, TERRITORIAL SEAS AND CONTIGUOUS ZONES, OR TO THE SEABED AND THE OCEAN FLOOR, INCLUDING CONTINENTAL SHELVES. WITHOUT PREJUDICE TO ANY POSSIBLE OUTCOME OF THE LAW OF THE SEA CONFERENCE, THE CONFERENCE AGREES THAT THE ZONE COVERED BY THE TREATY REFLECTS THE RIGHT BALANCE BETWEEN THE NEED TO PREVENT AN ARMS RACE IN NUCLEAR WEAPONS AND ANY OTHER TYPES OF WEAPONS OF MASS DESTRUCTION ON THE SEABED AND THE RIGHT OF STATES TO CONTROL VERIFICATION ACTIVITIES CLOSE TO THEIR OWN COASTS.

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ARTICLE VI

THE CONFERENCE NOTES THAT OVER THE 5 YEARS OF THE OPERATION OF THE TREATY NO STATE PARTY PROPOSED ANY AMENDMENTS TO THIS TREATY ACCORDING TO THE PROCEDURE LAID DOWN IN THIS ARTICLE.

ARTICLE VII

1. THE CONFERENCE NOTES WITH SATISFACTION THE SPIRIT OF CO-OPERATION IN WHICH THE REVIEW CONFERENCE WAS HELD.
2. THE CONFERENCE CONSIDERED THE QUESTION OF TECHNOLOGICAL DEVELOPMENTS WHICH HAD TAKEN PLACE IN THE 5 YEARS OF OPERATION OF THE TREATY AND CONCLUDES ON THE BASIS OF THE EVIDENCE PRESENTED TO IT THAT NO MAJOR TECHNICAL OR OTHER CHANGES HAVE TAKEN PLACE WHICH HAVE IN ANY WAY Affected THE OPERATION OR IMPORTANCE OF THE TREATY. THE CONFERENCE, NEVERTHELESS, RE-EMPHASISES THE NEED FOR DEVELOPMENTS IN RELEVANT TECHNOLOGY TO BE KEPT UNDER REGULAR REVIEW.
3. THE CONFERENCE AGREES THAT ANOTHER REVIEW CONFERENCE OF

PARTIES TO THE TREATY SHOULD TAKE PLACE IN GENEVA AFTER AN INTERVAL OF 5 YEARS IF A MAJORITY OF STATES PARTIES SUBMIT A PROPOSAL TO THIS EFFECT TO THE DEPOSITORY GOVERNMENTS. IF NO REVIEW CONFERENCE HAS BEEN CONVENED WITHIN 10 YEARS THE DEPOSITORY GOVERNMENTS SHALL SOLICIT THE VIEWS OF ALL PARTIES ON THE HOLDING OF SUCH A CONFERENCE. IF AT LEAST 10 STATES PARTIES RESPOND AFFIRMATIVELY, THE DEPOSITORY GOVERNMENTS SHALL TAKE IMMEDIATE STEPS TO CONVENE A CONFERENCE.

ARTICLE VIII

THE CONFERENCE NOTES WITH SATISFACTION THAT NO PARTY HAS EXERCISED ITS RIGHTS UNDER ARTICLE VIII.

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CISED ITS RIGHTS UNDER ARTICLE VIII.

ARTICLE IX

THE CONFERENCE REAFFIRMS ITS CONVICTION THAT NOTHING IN THE TREATY AFFECTS THE OBLIGATIONS ASSUMED BY STATES PARTY TO THE TREATY UNDER INTERNATIONAL INSTRUMENTS ESTABLISHING ZONES FREE FROM NUCLEAR WEAPONS.

ARTICLE X

THE CONFERENCE STRESSES THAT THE 5 YEARS THAT HAVE ELAPSED SINCE THE DATE OF ENTRY OF THE TREATY INTO FORCE HAVE DEMONSTRATED ITS EFFECTIVENESS. AT THE SAME TIME THE CONFERENCE NOTES WITH CONCERN THAT THE TREATY HAS NOT YET ACHIEVED UNIVERSAL ACCEPTANCE. THEREFORE THE CONFERENCE CALLS UPON THE STATES THAT HAVE NOT JOINED IT, PARTICULARLY THOSE POSSESSING NUCLEAR WEAPONS OR ANY OTHER TYPES OF WEAPONS OF MASS DESTRUCTION, TO DO SO AT THE EARLIEST POSSIBLE DATE. THE CONFERENCE CONSIDERS THAT IT WOULD BE A SIGNIFICANT CONTRIBUTION TO INTERNATIONAL CONFIDENCE IF ALL SUCH STATES ACCESSED TO THE TREATY AT AN EARLY DATE.

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